

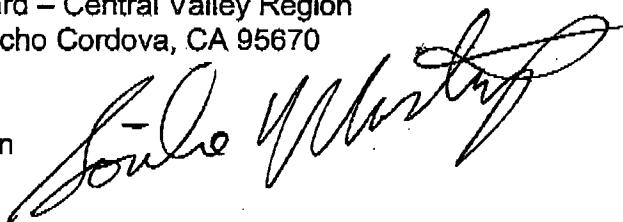
State of California

Department of Fish and Game

**Memorandum****Date:** May 18, 2006

**To:** Wendy Cohen, Policy and Planning Unit  
Irrigated Lands Conditional Waiver Program  
Regional Water Quality Control Board – Central Valley Region  
11020 Sun Center drive, #200, Rancho Cordova, CA 95670  
VIA FAX: 916) 464-4645

**From:** Sonke Mastrup, Deputy Director  
Wildlife and Inland Fisheries Division  
Department of Fish and Game  
1416 9<sup>th</sup> Street, 12<sup>th</sup> Floor  
Sacramento, CA 95814



**Subject:** Tentative Conditional Waivers of Waste Discharge Requirements for Discharges from Irrigated Lands – Proposed Orders

The Department of Fish and Game (Department) has reviewed the Tentative California Regional Water Quality Control Board Central Valley Region *Coalition Group Conditional Waiver of Waste Discharge Requirements For Discharges From Irrigated Lands* issued to interested persons under 19 April 2006, cover letter, and submits the following brief comments:

1. Managed wetlands are included in the definition of irrigated lands (Tentative Attachment A) and as such, are currently regulated under the conditional waiver program.
2. Managed wetlands provide critical habitat for resident and migratory waterfowl and other wetland dependent fish and wildlife resources in the Central Valley. Wetland habitat in the Central Valley has been reduced by 90 percent from historic levels, so it is essential to manage remaining wetlands for full fish and wildlife benefits.
3. The Department continues funding and participation in the waiver process through the Westside San Joaquin River Watershed Group and the Sacramento Valley Water Quality Coalition.
4. We continue to be interested in future participation through a yet to be developed de minimus waiver for managed wetlands. We believe a de minimus waiver may provide a more appropriate structure for addressing basin plan water quality objectives relative to the suite of environmental benefits provided by managed wetlands.

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5. The Department continues to be challenged by increasing regulatory efforts to control non-point source pollution which also impact managed wetland outflow. It appears counterproductive to develop treatment wetlands as a remediation tool within one program, and be regulated as non-point source polluters within another. While we understand the need and support efforts to control non-point source pollution, we find the developing regulatory environment effecting managed wetland outflow a serious strain to existing staffing and budgetary levels. We welcome the opportunity to explore available alternatives with Board staff and management to focus our limited resources where they will provide the greatest return.

Thank you for the opportunity to review and provide comments to the tentative conditional waiver. Please contact me at (916) 653-4673, or Paul Forsberg at (916) 323-7215 to answer any questions you may have, or to discuss the issues identified above.

**cc: California Department of Fish and Game**

L. Ryan Broddrick, Director  
Doug Updike, Acting Branch Chief, WIFD  
Kari Lewis, Lands Program  
Paul Forsberg, Lands Program  
Bill Loudermilk, Regional Manager, R4  
Andy Gordus, R4  
John Beam, R4  
Andy Atkinson, R2  
Karen Kovacs, R1